



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

AFSCME Council 93, Local 2301, Seabrook
Supervisory Employees

Complainant

v.

Town of Seabrook

Respondent

Case No. M-0592-18

Decision No. 2001-086

CONSENT DECREE

The parties, both represented by counsel and appearing before the PELRB at its offices in Concord, New Hampshire, on September 18, 2001, announced the following joint stipulation in resolution and settlement of the pending unfair labor practice complaint, to wit:

1. The parties agree that Mosquito Control Officer is a bargaining unit position.
2. The Town shall post and actively recruit to fill the Mosquito Control Officer position with a permanent employee. The Town agrees to post the position by September 30, 2001 and to conduct an on-going search until the position is filled.
3. The Town shall comply with the collective bargaining agreement in filling this position.
4. The parties agree to sit and negotiate a salary, if necessary, to attract a qualified applicant, and to work together to search diligently to fill the position.
5. In the event the Town cannot find a qualified applicant, the Town and the Union agree to sit and negotiate further. In the event negotiations reach an impasse and, despite the good faith efforts of the parties to comply with this agreement, the position remains unfilled on February 1, 2002, then the Town may take whatever

action is needed to protect the Town for that Mosquito Control Season. In such an event, the parties shall continue to pursue the process outlined above until the position is filled.

6. The parties further agree that this consent decree may be enforced by an appropriate filing with the PELRB.

For the Union:

/s/ David Currier, President

/s/ Angela Wessels, Counsel 9/18/01

For the Town:

/s/ Robert D. Ciandella, Counsel

Upon review of the parties' agreement of September 18, 2001, the board finds its provisions to be in the best interests of the parties and supportive of the collective bargaining process contemplated by RSA 273-A. Accordingly, the PELRB hereby adopts the provisions of that agreement as and for its order in this case and directs that the underlying unfair labor practice complaint be DISMISSED in accordance therewith.

So ordered.

Signed this 21st day of September, 2001.


DORIS M. DESAUTEL
Alternate Chairman

By unanimous vote. Alternate Chairman Doris M. Desautel presiding. Members Richard W. Roulx and E. Vincent Hall present and voting.